

TESTIMONY OF CHIEF BRENDA COMMANDER
HOULTON BAND OF MALISEET INDIANS

06/02/05, Augusta, Maine - Public Hearing on
Maine Toxics Rule

Good afternoon, my name is Brenda Commander, I am Tribal Chief of the Houlton Band of Maliseet Indians. I have come before you this afternoon to testify on behalf of my people to present our concerns regarding the State's proposed Toxics Rule.

I would like to begin by noting that EPA has not delegated authority to Maine under the Clean Water Act over Maliseet/tribal waters. I am here today because we are your downstream neighbors and your actions affect my people and our resources. Yet this proposed rule does nothing to acknowledge our presence, our status as a federally recognized Indian Tribe, or our hunter-gatherer culture. Further, this rule puts in place regulatory barriers that will impede any future effort to protect our cultural traditions.

As an elected leader of my Tribe, I am charged with the responsibility of protecting the health and welfare of our members and sustaining and renewing our traditional ways and ancient cultural ties to the environment. We are river people who traditionally fish, trap, hunt, and gather in and around the land and waters of the Wolastoq, which translates as "the beautiful flowing river" or, as you know it, the "St. John."

We Maliseets call ourselves "Wolastoqewiyik", or "People of the Beautiful, Flowing River." My Tribe has a small amount of trust land, around 800

acres, that we purchased along the Meduxnekeag River, a tributary of the St. John. We chose this land because it has an abundance of the kind of natural resources on which we have traditionally relied and because it has sustained our ancestors for generations. Maliseet creation stories and oral history tell us we've been here since time immemorial.

The riverbanks of the Meduxnekeag still provide edible plants such as Fiddleheads. They provide Brown Ash for basketmaking; Cedar for spiritual purification ceremonies and plants such as Muskrat Root, for traditional medicine. The river water gives us opportunities to canoe, swim and fish. It provides steam for sweat lodges. In short, our tribal culture is largely dependent upon the waters and natural resources found in the waters, floodplains, and riparian zone of the Meduxnekeag. The Meduxnekeag is a critical link in preserving our cultural practices, traditions and history. To sustain our ancient cultural ties to the environment, we must have our river free of toxic contaminants.

For example, the practice of fishing for your family and community is very important in tribal culture. It is one of the social and cultural ties that binds our tribal community together. When the State allows toxics to contaminate fish that we catch and eat as part of our culture, this action destroys the value of fishing as a source of food and cultural foundation.

On behalf of the Maliseet Tribe, I urge you not to adopt any proposed Toxics Rule that not only has no specific recognition of our cultural practices/uses but includes provisions that make any cooperative

tribal/state effort to protect these uses very difficult. I would like to introduce Sharri Venno, our Environmental Planner, who will present several ways to begin to address these concerns in more detail.

Woliwon (Thank you)